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Apr 25, 2018

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WASHINGTON

TINA SMITH,

No. 1:17-cv-03020-FVS

Plaintiff,

ORDER ADOPTING REPORT AND  
RECOMMENDATION TO DENY  
PLAINTIFF'S MOTION FOR  
SUMMARY JUDGMENT AND  
GRANT DEFENDANT'S MOTION  
FOR SUMMARY JUDGMENT

vs.

10 COMMISSIONER OF SOCIAL  
11 SECURITY

Defendant.

BEFORE THE COURT is the Report and Recommendation issued by  
Magistrate Judge Mary K. Dimke on March 19, 2018, ECF No. 16, recommending  
Plaintiff's Motion for Summary Judgment, ECF No. 12, be denied and Defendant's  
Motion for Summary Judgment, ECF No. 13, be granted. Plaintiff filed objections  
to the Report and Recommendation on April 2, 2018. ECF No. 18. Defendant  
responded to Plaintiff's objections on April 16, 2018. ECF No. 20.

After reviewing the Report and Recommendation, the objections and the  
response, and relevant authorities; the Court finds the Magistrate Judge's findings

ORDER ADOPTING REPORT AND RECOMMENDATION - 1

1 are correct. Therefore, the Court adopts the Report and Recommendation in its  
2 entirety. Accordingly, **IT IS ORDERED:**

3       1. Plaintiff's Objections to Magistrate Judge Dimke's Report and  
4 Recommendation, **ECF No. 18**, are **OVERRULED**.

5       2. The Report and Recommendation, ECF No. 16, is **ADOPTED** in its  
6 entirety.

7 3. Plaintiff's Motion for Summary Judgment, ECF No. 12, is DENIED.

8 | 4. Defendant's Motion for Summary Judgment, ECF No. 13, is

9 | GRANTED.

10 The District Court Executive is directed to file this Order and forward copies  
11 to the parties. Judgment shall be entered for Defendant and the file shall be  
12 **CLOSED**

DATED April 25, 2018.

s/Fred Van Sickle  
Fred Van Sickle  
Senior United States District Judge